HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.2989 OF 2005
WITH
CRIMINAL APPLICATION NO.1533 OF 2005.

Mr. Gaurav Ravi Arora. ...Applicant.

V/s.

State of Maharashtra & Anr. ...Respondents.

Ms.Deepa Bajaj, for applicant.

Shri A.S.Gadkari, APP for respondent-State.

Ms. Harjeet Kaur, for respondent No.2.

CORAM: A.M.KHANWILKAR,J
DATE : MAY 3, 2005

P.C. :-

1. Heard the counsel for the parties.

2. Rule in Criminal Application No.2989 of 2005. Rule made returnable forthwith by consent.

3. Shri Gadkari, APP, waives notice for respondent No.1. Ms. Harjeet Kaur, advocate waives notice for respondent No.2.

4. As short question is involved, petition is taken up for final disposal forthwith, by consent.

5. The respondent No.2 wife has registered the offence against the Applicant being FIR No.341 of 2004 with Versova Police station, for offence punishable under section 498(A), 406, 504, 506(II) r/w 34 I.P.C. and section 3,4 and 6 of Dowry Prohibition Act.

6. During the pendency of the present petition, the applicant-husband and respondent No.2 wife have amicably resolved all their matrimonial differences. Applicant-husband is ready to pay a sum of Rs.6 Lakhs towards full and final settlement of their respective claims. Since the marriage has irretrievably broken, parties have decided to take divorce by mutual consent. Application in that behalf has been moved before the Family court. As the respondent No.2 wife is no more interested in precipitating the criminal action against the applicant because of the amicable resolution of all the disputes interse, she has no objection if the criminal case instituted against the applicant is quashed as that would bring quietus to all the contentious issues between the parties.

7. Inthe circumstances, in the interest of justice, in exercise of inherent powers of this court, I am inclined to allow the application for quashing of criminal case being F.I.R.No.341 of 2004 registered

with Versova Police Station, Mumbai against the applicant at the instance of respondent No.2.

8. Accordingly, this application succeeds. Consent terms duly signed by both the parties and their respective advocates are tendered, taken on record. Assurances given under the Consent terms by the respective parties are accepted.

9. As the F.I.R. has been quashed, nothing survives for consideration in Criminal Application No.1533 of 2005, which is for relief of anticipatory bail. That Application is disposed of in the above terms.

10. Bail bond to stand cancelled, if any.

11. Versova Police Station to return the articles which has been seized during the course of investigation in respect of the abovenumbered F.I.R. to the applicant-husband.